GAHC010134242026

undefined

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB/1476/2026

SMT BHARATI TAID KAMAN
WIFE OF SRI PARAMESWAR KAMAN, RESIDENT OF VILLAGE BAKULBARI, KONANADI POST OFFICE-PATHALIPAM, POLICE STATION - BOGINADI, DISTRICT- LAKHIMPUR, ASSAM, PIN - 787056.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. M MAHANTA, MS. S MAHANTA

Advocate for the Respondent : PP, ASSAM,

-BEFORE-

HON'BLE MR. JUSTICE ANJAN MONI KALITA

ORDER

19.08.2026

Heard Mr. M. Mahanta, learned counsel appearing for the accused applicant and Mr. K. Baishya, learned Addl. PP for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for granting pre-arrest bail to the accused applicant in connection with Boginadi P.S. Case No. 61/2026 registered under Section 329(3)/296/74/117(2) of the BNSS.

3. An FIR was lodged before the Officer-in-Charge, Chauldhowa Police Outpost on 14.06.2026 at around 12.00 PM by the informant, namely, Pujashree Gogoi alleging *inter alia* that when she and her husband was at their shop, the accused applicant on the instigation by one Harakanta Chayangia entered their shop and abused them with slang languages. It is alleged that the accused persons, named in the FIR, had abused and assaulted the informant and her husband. It is also alleged that the accused persons have also broken several items in the shop and also broken the bamboo structure used for the saplings.

4. On the basis of the FIR, the Police registered the Boginadi P.S. Case No. 61/2026 under the aforementioned sections.

5. The learned counsel appearing for the accused applicant submits that the accused applicant is not named in the FIR and she has been searched by the Police on the basis of suspicion. He submits that all of the accused persons named in the FIR have already been granted bail by a coordinate bench of this Court in separate anticipatory bail applications. He submits that in view of the aforesaid position, the accused applicant should be granted pre-arrest bail.

6. On the other hand, Mr. K. Baishya, learned Addl. PP opposed the prayer for granting of pre-arrest bail to the accused applicant.

7. Taking into account the nature of accusation and the fact that all the accused persons have already been granted pre-arrest bail by a coordinate bench of this Court, this Court is of the considered opinion that the accused applicant should be granted pre-arrest bail. Accordingly, it is directed that that in the event of the arrest of the accused applicant, namely, ***Smti. Bharati Taid Kaman*** shall be released on pre-arrest bail on furnishing a bail bond of Rs.20,000/- with a surety of the like nature to the satisfaction of the arresting authority subject to the following conditions;-

(i)that the accused applicant shall appear before the Investigating Officer within a period of 10 days from today;

(ii)that the accused applicant shall cooperate with the investigation and shall make herself available as and when called for by the investigating officer; and

(iii)that the accused applicant shall not try to hamper or tamper with the investigation in any manner, whatsoever.

In terms of the above, this anticipatory bail application stands disposed of, as allowed.

JUDGE

Comparing Assistant